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October 12, 2001

Attorney Docket No.: 06618-343002

**Box Patent Application**  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new divisional patent application of:

Applicant: YI-JYUN LIN AND SEYMOUR BENZER

Title: METHUSELAH GENE COMPOSITIONS AND METHODS OF USE

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	80
Claims	1
Abstract	1
Declaration	2
Drawing(s)	11

Enclosures:

- Information Disclosure Statement: Applicants call attention to documents listed on the attached Form PTO-892, 1 pages, listing documents cited in the parent application(s). Per 37 CFR 1.98(d), copies of those documents are not provided herein. Please confirm that these have been considered in this application by returning a copy of the Form PTO-892 with the examiner's initials.
- Rule 63 declaration, copy from a previous application under rule 63(d) for continuation or divisional only.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. 11 716812385 US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington.

Signature

Mike Augustine

10/15/01  
JC975 U.S. PTO  
Frederick P. Fish  
1855-1930  
K. Richardson  
1859-1951



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JC921 U.S. PTO  
09/978486

Commissioner for Patents

October 12, 2001

Page 2

Request under 37 CFR 1.821(e) to transfer computer readable form of  
sequence listing.

— Postcard.

The prior application is assigned of record to California Institute of Technology by  
virtue of an assignment submitted to the Patent and Trademark Office and recorded  
on October 4, 1999 at 10280/0392.

This application is a divisional (and claims the benefit of priority under 35 USC 120)  
of U.S. application serial no. 09/370,098, filed August 6, 1999, which claims priority  
from U.S. provisional application serial no. 60/095,826, filed August 7, 1998. The  
disclosure of the prior application is considered part of (and is incorporated by  
reference in) the disclosure of this application.

This application presents claims corresponding to non-elected claims 16-18 and 48-52  
from the parent case. This application is entitled to small entity status, established in  
a prior application and still proper.

There are 8 claims in this application, 2 of which are independent.

Basic filing fee	\$370
Total claims in excess of 20 times \$9	\$0
Independent claims in excess of 3 times \$42	\$0
Fee for multiple dependent claims	\$0
Total filing fee:	\$370

A check for the filing fee is enclosed. Please apply any other required fees or any  
credits to deposit account 06-1050, referencing the attorney docket number shown  
above.

If this application is found to be incomplete, or if a telephone conference would  
otherwise be helpful, please call the undersigned at (858) 678-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.


FISH RICHARDSON P.C.

Commissioner for Patents  
October 12, 2001  
Page 3

Please send all correspondence to:

SCOTT C. HARRIS  
Fish & Richardson P.C.  
PTO Customer No. 20985  
4350 La Jolla Village Drive, Suite 500  
San Diego, California 92122

Respectfully submitted,



Scott C. Harris  
Reg. No. 32,030  
Enclosures  
SCH/jkh  
10139971.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yi-Jyun Lin et al.  
Serial No.: not yet assigned  
Filed : October 15, 2001  
Title : METHUSELAH GENE, COMPOSITIONS AND METHODS OF USE

Commissioner for Patents  
Washington, D.C. 20231

REQUEST UNDER 37 C.F.R. §1.821(e) TO TRANSFER  
COMPUTER READABLE FORM

The Sequence Listing being filed herewith in the above-referenced divisional/continuation application, is identical with that filed in U.S. Serial No. 09/370,098, from which this present application claims priority.

In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed in U.S. Serial No. 09/370,098 as the computer readable form for the instant application.

For your convenience, enclosed is a paper copy of the Sequence Listing filed in U.S. Serial No. 09/370,098.

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M. Z. Lin

Please apply any charges or credits to Deposit Account  
No. 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

10/15/01

  
\_\_\_\_\_  
Scott C. Harris  
Reg. No. 32,030

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yi-Jyun Lin et al.                      Art Unit : 1646  
Serial No. : 09/370,098                      Examiner : J. Andres  
Filed : August 6, 1999  
Title : METHUSELAH GENE, COMPOSITIONS AND METHODS OF USE

Box Sequence  
Commissioner for Patents  
Washington, D.C. 20231



STATEMENT UNDER 37 CFR §§1.821(f) AND (g)

I hereby state, as required by 37 C.F.R. §1.821(f), that the content of the paper and computer-readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. §§1.821(c) and (e), respectively, are the same.

I hereby state, as required by 37 C.F.R. §1.821(g), that the enclosed submission include no new matter.

Respectfully submitted,

Date: \_\_\_\_\_

2/5/01

*ML (45,647)* for

Scott C. Harris  
Reg. No. 32,030

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with

Signature *Heleen A. Clark*

DOUGLAS C. CLARK

By \_\_\_\_\_, Attorney-in-Fact, Signature: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yi-Jyun Lin et al.                      Art Unit : 1646  
Serial No. : 09/370,098                      Examiner : J. Andres  
Filed : August 6, 1999  
Title : METHUSELAH GENE, COMPOSITIONS AND METHODS OF USE

Box Sequence  
Commissioner for Patents  
Washington, D.C. 20231



VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Duncan I. Clark, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 2/5/01

*Duncan I. Clark*  
Duncan I. Clark

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*Duncan I. Clark*  
Signature

DUNCAN I. CLARK

Printed Name of Person Signing Certificate